

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**AMERICAN ELECTRIC POWER
SERVICE CORPORATION, et al.,**

Plaintiffs,

v.

DEKORON UNITHERM LLC,

Defendant.

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Case No. 2:10-cv-00984

JUDGE ALGENON L. MARBLEY

MAGISTRATE JUDGE MARK R. ABEL

ORDER

This matter is before the Court on Defendant Dekoron Unitherm LLC's Motion to Dismiss the Complaint for failure to state a claim. On February 24, 2001, the Plaintiffs filed an Amended Complaint. Accordingly, Defendant's Motion to Dismiss is **MOOT**.

IT IS SO ORDERED

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

Dated: May 31, 2011